

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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DAKOTA KALOB MEDICINE,

Case No. 22-CV-2953 (NEB/LIB)

v.  
Plaintiff,

ORDER ACCEPTING REPORT AND  
RECOMMENDATION

PINE COUNTY SHERIFF'S OFFICE,  
SIMCHA GAVZY, BRANDON SELL,  
BLAKE RICHERT, and JAMES R.  
REISER,

Defendants.

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The Court has received the April 25, 2023, Report and Recommendation of United States Magistrate Judge Leo I. Brisbois. (ECF No. 8.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation is ACCEPTED (ECF No. 8);
2. The claims against Defendant Pine County Sheriff's Office shall be DISMISSED without prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915A(b)(1);

3. The claims against Defendant James R. Reiser for violating HIPAA in his individual and official capacity are DISMISSED without prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915A(b)(1); and
4. Defendants Pine County Sheriff's Office and James R. Reiser are terminated from this action.

Dated: July 12, 2023

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge